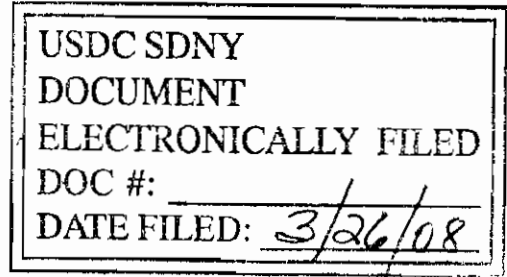


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



FRANK J. NAPOLITANO, JR.,

Plaintiff,

-against-

07 Civ. 6125 (RJH)

TOWN SPORTS INTERNATIONAL
HOLDINGS INC., ET AL.,

Defendants.

ORDER

For the reasons stated on the record at a conference held on March 24, 2008, the Court denies defendants' motion to dismiss [3]. The Court sets the following schedule:

- Fact discovery shall be completed by September 24, 2008;
- Expert discovery shall commence on July 24, 2008 and be completed by September 24, 2008;
- A status conference shall be held on October 3, 2008, at 10:00 a.m. in the courtroom of the Honorable Richard J. Holwell, Courtroom 17B, 500 Pearl Street, New York, New York 10007.

SO ORDERED.

Dated: New York, New York
March 24, 2008

A handwritten signature in black ink, appearing to read "Richard J. Holwell", written over a horizontal line.

Richard J. Holwell
United States District Judge